

REMARKS**INTRODUCTION**

Claims 14-25 were previously and are currently pending and under consideration.

No claims are amended herein.

No new matter has been added. Reconsideration and withdrawal of the rejection is respectfully requested.

DOUBLE PATENTING REJECTION

Claims 14-25 stand rejected for double patenting over claims 1-17 of U.S. Patent No. 6,728,724. In accordance with Rule 321(c), a Terminal Disclaimer is filed herewith. Withdrawal of the rejection is respectfully requested.

BASIS FOR FILING TERMINAL DISCLAIMER**Establishment of Microsoft Corporation as Assignee**

Microsoft Corporation is now the assignee of the subject patent application, as shown by the attached "[d]ocumentary evidence of a chain of title from the original owner to the assignee" (37 CFR 3.73(b)(1)(i)). This documentary evidence is in the form of (1) a copy of an assignment from the inventors of the present application to Maximal Innovative Intelligence Ltd, and (2) selected portions of an ASSET PURCHASE AGREEMENT between Microsoft Corporation and Maximal Innovative Intelligence Ltd. The ASSET PURCHASE AGREEMENT transfers "all patents ... [and] applications" (including the subject patent application) from Maximal Innovative Intelligence Ltd to Microsoft Corporation. See the ASSET PURCHASE AGREEMENT, page numbered 8, Item 5.5.1(a).

Application Number: 10/807,938
Attorney Docket Number: 304872.08
Filing Date: March 23, 2004

Terminal Disclaimer Signed by Attorney of Record

Having established that It is the current assignee, Microsoft has included herewith a POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO. The undersigned is a practitioner associated with the assignee's customer number (22971). Therefore, the Terminal Disclaimer is properly signed under 37 CFR 1.321(b)(iv)

The undersigned is also an attorney of record, in accordance with the REQUEST FOR WITHDRAWAL AS ATTORNEY OR AGENT AND CHANGE OF CORRESPONDENCE ADDRESS, filed July 8, 2004, which named Microsoft Corporation as the Firm of record. Therefore, the Terminal Disclaimer is also properly signed based on 37 CFR 1.321(b)(1)(iv).

CONCLUSION

Based on the foregoing, Applicant respectfully requests that the pending claims be allowed, and that a timely Notice of Allowance be issued in this case. If the Examiner believes, after this Response, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's representative at the telephone number listed below.

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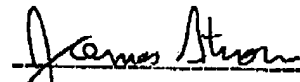
If this Response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this Response, including an extension fee that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50-0463.

Respectfully submitted,

Microsoft Corporation

Date: 8 Sep 2005

By:


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CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop _____, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

September 8, 2005

Date


Signature

James T. Strom

Type or Print Name

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